

# **VICTIM/WITNESS SERVICES:**

## **A REVIEW OF THE LITERATURE**



# **VICTIM/WITNESS SERVICES: A REVIEW OF THE LITERATURE**

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## INTRODUCTION

Recent years have witnessed important developments in the field of victimology. The study of victims of crime which, in the fifties and the early sixties, was still in an embryonic stage, has made great leaps forward in the last ten years. And though it can hardly be claimed that victimology has attained the status of a full fledged discipline, it is rapidly coming of age. It has gained a lot of ground in academic and professional circles and is gradually achieving world-wide recognition as an integral part of criminal justice studies and policy-making.

The intent of this paper is to present an overall review of the current status of victimology and to summarize the major findings, trends and developments - both theoretical and applied - that are relevant to practitioners in the field.

Victimology has recently been transformed from a "victimology of the act" to a "victimology of action". Early victimology was essentially the victimology of specific crimes: violent crimes, in particular, homicide; sexual offenses, in particular, rape; property crime, in particular, burglary and fraud. Instead, current victimology is more concerned with affirmative action on behalf of the victims and witnesses of crime. The theoretical advances in victimology resulting from the efforts of pioneer victimologists have been recently overshadowed by major developments in the applied field intended to alleviate the plight of the victim/witness, to provide the latter with the services, aid and assistance he/she needs to overcome the injurious effects of victimization, and to introduce appropriate programs particularly within the criminal justice system.

Several factors have contributed to the present trend:

a. A strong movement among a significant portion of the public and among personnel in the criminal justice system to seek a more equitable treatment of the victim/witness at the hands of society in general and of the justice system in particular. This position has been supported by the findings of several research studies stressing the key role of "gatekeeper" exercised by the victim/witness. It voices criticism of the tendency towards milder penalties and claims that the welfare and rights of lawbreakers are being excessively favored over the welfare and rights of their victims. It insists that society's responsibility in the area of criminal justice is also to the victim of crime and demands that more attention be given and more concern be shown to the victim. One of the positive consequences of this position has been to sensitize criminal justice professionals and the general public to the plight of the victim and to focus the public's interest upon the sufferings of those who are criminally victimized and to stimulate the introduction of several reforms.

b. The influence of the feminist movement. In their crusade against male chauvinism, supremacy and domination, women's movements

have adopted the cause of rape victims and of battered wives. This has resulted in a large number of studies of rape, of conjugal violence against female spouses, and in several publications. Women's movements have also been influential in the setting-up in many countries of rape crisis centers and refuges for abused spouses; in the introduction of legislative reforms; and in educating professionals and the public alike.

c. The growing popularity of applied research in criminal justice aimed at utilizing research findings and at introducing social change. The Law Enforcement Assistance Administration has exercised a strong leadership role in fostering and supporting such applications.

This overview of major research findings is designed to provide program managers and practitioners with information crucial in all managerial and programmatic phases from planning to the development of policy to implementation. In particular, the aim of this review is to provide the reader with a thorough understanding of the issues - an element critically important to the quality and effectiveness of the entire planning process. Great care was exercised to ensure that sound information was collected accurately and objectively from reliable sources. There are of course from time to time seemingly contradictory statements which reflect the state of flux research is still in and some of the unavoidable ambiguities we all have to live with.

The information is presented in telegraphic, capsule form for rapid scanning and easy reading on the part of busy practitioners. The source of the information is identified after each statement with full bibliographical information to be found in the Reference Section.

## EPIDEMIOLOGY

### Merits of Victimization Surveys

- focus on victim
- high risk categories revealed
- consequences of victimization
- victim precipitation
- role of victim
- indicators of mobilization of legal & moral sensitivities of victim toward crime

(Biderman, 1975)

- estimate volume & nature of criminal acts committed
- study of reporting behavior
- study of social norms governing non-reporting
- attempt to determine why many reported crimes are not included in police data

(Hood & Sparks, 1973)

Victimization surveys can be used to:

- estimate crime rate for a jurisdiction
- examine local patterns of reporting and non-reporting
- understand differences between increases in the crime rate and increases in the reporting rate
- study the details of events and to isolate deterrable crimes
- identify high-risk groups
- obtain feedback about citizens' views of the operation of the criminal justice system
- measure citizen satisfaction with the performance of the criminal justice system
- establish benchmarks for evaluating the effectiveness of criminal justice programs
- establish a pool of crime victims who can be tracked through the criminal justice system

(Skogan, 1975b)

### Rates of Victimization

- In 1977, the violent crimes of murder, forcible rape, robbery and aggravated assault, as reported to the FBI, increased one percent. Forcible rape led with a ten percent increase; aggravated assault followed with a five percent rise; and murder was up one percent.
- Property crimes - those of burglary, larceny-theft, and motor vehicle theft - decreased five percent.
- 20% households victimized in 1964, 2 times that reported in UCR; minor crimes even greater, twice as frequent as major.

(UCR, 1978)

(Biderman, 1975)



- Metropolitan violent crime rate 5 times higher than suburbs & rural;  
metro property crime 2 times higher than sub-rural  
(Ennis, 1967)
- Over twice as much major crime not reported as that reported  
(Glasser, 1970)  
(LEAA, Dayton-San Jose, 1974)  
(LEAA, 5 cities, 1974)
- Unreported crime twice as high as reported crime  
(LEAA, Preliminary...1974)
- Reliable estimates of crime only derived independently of police  
(Reynolds & Blyth, 1970)
- Compared with UCR, victimization survey data reveals crime 3 times  
higher in Denver, 2 times higher in Atlanta, Baltimore, Cleveland,  
Dallas & Portland, 1.5 times higher in St. Louis & Newark  
(LEAA, 8 cities, 1974)
- 1.1 million acts of violence & theft occurred, 44% against individuals,  
44% against households, 12% against businesses  
(LEAA, 8 cities, 1974)
- 3.2 million acts of violence & theft (including attempts occurred  
in 1972, 1/2 against individuals, 2/5 against households, 1/6  
against business)  
(LEAA, 5 cities, 1974)
- In 1977, cities with more than 25,000 inhabitants recorded a five  
percent decrease in serious crime. In the suburban areas it dropped  
four percent. The rural areas showed a one percent decline.  
(UCR, 1977)

#### Demographic Characteristics

- 40% aggravated assaults & rapes take place in victim's house  
(Ennis, 1967)
- 45% serious crime committed by persons known to victim  
(Ennis, 1967)
- Male victims outnumber females 2 to 1  
(LEAA, Dayton-San Jose, 1974)
- Majority offenders-white males  
(LEAA, Dayton-San Jose, 1974)
- Black males highest victim rate, 85 per 1,000, white males, 74 per 1,000  
(LEAA, Nat'l Crime Panel, 1973)
- Age 12-19 have highest victimization rate, victimization decreased with age  
(LEAA, Nat'l Crime Panel, 1973)

### Variations in Types of Crimes Reported

- Homicide most likely discovered and reported  
(Ennis, 1967)
- Unreported burglary 3 times reported  
Unreported assault 2 times reported  
Unreported robbery 2 times reported
- Auto theft = that in UCR
- Assaults less frequently reported, only 50%  
(Cordrey, 1975)
- Personal larceny accounted for 40% victimization  
(LEAA, Nat'l Crime Panel, 1973)
- Property crime more likely to be reported than personal crime  
(Biderman, 1975)

## METHODOLOGICAL ISSUES

### Five Major Difficulties

- Crimes (and especially serious ones) are rare events
- Victimization is unevenly distributed in the population
- Crimes are furtive events
- Victims are people: they forget, lie, and make mistakes
- Not all crimes are discrete events: many are conditions which are hard to count  
(Skogan, 1978)

### Methodological Problems in Victimization Surveys

- Telescoping (Biderman, 1975; Argana, 1974)
- Failure of respondent to perceive offense as crime  
(Biderman, 1975; Argana, 1974)
- Naturalistic questions better than legalistic  
(Biderman, 1975)
- 3-6 month time span best for survey  
(Biderman, 1975)
- 12-month reference period no worse than 6 mo. in determining whether a crime occurred  
(LEAA, Dayton-San Jose, 1974)
- Telescoping controlled by using a "boundary interview" technique
- 25% respondents telescoped events  
(Argana, 1974)
- Interviewing deficiencies-interviewer burn out, poor recall for other family members
- Sample deficiencies
- Respondent deficiencies-memory fade, telescoping (need brief recall periods-like 3 mo.)
- Nature of event-influences recall and willingness to report
- Coding & classification-intercoding reliability

-Both survey & official counting practices undercount certain types of crime; survey techniques overcount other types  
(Skogan, 1975)

-Few have random sample,  
victimless crimes omitted.  
Household survey results in:  
-disproportion of female respondents  
-disproportion of older respondents

-Validity of responses difficult to check

-Recall

-Telescoping

-Respondents' lack of time

-Definition problem (offense not perceived as crime)

-Victim's involvement, non reporting  
(Hood & Spark, 1970)

#### Variation between Official & Self-reporting Data

-Slightly fewer than half of all offenses measured by the National Crime Survey are known to the police  
(LEAA, 1978)

-In survey of 10,000 households 3,400 crimes reported, team of lawyers & detectives reduced the number to 2,100  
(Ennis, 1967)

-Official police statistics include victimless crime and crime to transients, which are lost in surveys  
(Reynolds & Blyth, 1970)  
(Comments for Foreman)

-Lack of conceptual-definition correspondence between police and public; just as many incidents considered serious by the police-legal system are considered unimportant by victims of crime, and vice-versa.  
(Reynolds & Blyth, 1970)

-Comprehensive and reliable estimates of crime can only be derived by procedures independent of law enforcement organizations  
(Reynolds & Blyth, 1970)

-Most accurate measure of deviant behavior may yet prove to be some combination of official records and self-report questionnaire  
(Ferrington, 1973)

-"Every statistic...is shaped by the process which operationally defines it, the procedures which capture it, and the organization which processes and interprets it."  
(Skogan, 1975)

### Other Methodological Issues

Critical problems with the Uniform Crime Reports:

- Crimes "known to police" may only be a proportion of crimes actually known
- Variations in police handling of law violations, varied statutory definitions & police procedures
- White collar crimes aren't routinely collected
- Rate computations for single years are based upon the last decennial years
- In multiple offenses, only highest order of an index offense is used
- Lacks criminological theory, i.e. no operational definitions for empirical analysis
- Changes in police performance shown by mean crimes cleared by arrest are misleading
- UCR can't tell us what proportion of offenses known to police result in a conviction of 1 or more perpetrators.
- Classifications based upon an allocation procedure derived a "priori" (Wolfgang, 1963)

The following scales and tests can be used to demonstrate the mutual projections & stereotypes in the offender-victim relationship:

- 1) Semantic Differential: to demonstrate autostereotype and heterostereotype in a quantitative way
- 2) Gessen test: to analyze process of transference in the offender-victim relationship
- 3) Rating test: examines the offender-victim relationship for analogies or an independent 3rd topic
- 4) TAT matching procedure: victims & offenders deal w/ ambiguous pictures (Weber, 1973)

## VULNERABILITY

### Overall

Of the National Crime Survey-measured offenses, the vast majority are against property only and do not involve personal violence or threat.

Most individuals feel at least reasonably safe when out alone in their neighborhoods either in the daytime or at night.

(LEAA, 1978)

### Age

-Rates of victimization are far higher for younger individuals than for senior citizens.  
     (LEAA, 1978)

-Ages 12-19 have the highest victimization rate

-Victimization decreases with age  
     (LEAA, National Crime Panel, 1973)

-Youths commit most crimes against the aged  
     (Cunningham, 1973)

-The relationship between age & victimization is curvilinear

-There is consensus on the relatively low degree of victimization in old age

-Older males are more likely than females to be victims

-Race-sex difference in general victimization tends to diminish as persons grow old

-Among the aged, fear of crime is likely to be greater in non-protective, age-heterogeneous housing than in protective, age-concentrated housing

-Aged are victims of fraud & malice  
     (Gubrium, 1974)

### Sex

-For various personal crimes, men are victimized at higher rates than women  
     (LEAA, 1978)

-Male victims outnumber females 2-1

-Men are the victims of crime about three times more frequently than women, with the exception of rape  
     (President's Commission, 1967)

- For offenses committed within the family, women are much more likely than men to be assaulted and murdered.  
(Mulvihill, 1969; Steinmetz, 1973; Straus, 1974; Gelles, 1976; Adler, 1977)
- Although studies show a lower proportion of females as victims (three times more for men), females are more often victims of violent crime  
(Schafer, 1967)
- Young, white males are most vulnerable  
(Howard, 1975)

### Race

- Black males have highest victimization rate, 85 per 1,000; white males, 74 per 1,000  
(LEAA National Crime Panel, 1973)
- Black women are twice as likely as white women to be murder victims and five and a half times as likely to be murderers. These ratios do not take the relative number of blacks and whites at risk into account. If this were done, the racial differences would be even greater.  
(Mulvihill, 1969; Zahn, 1975)
- Racial lines crossed in only 6% of homicides  
(Wolfgang, 1958)
- Almost 60% of all black assault victimizations are categorized as aggravated assault - involving serious injury or use of a weapon - while only 37% of all attacks upon whites were aggravated.  
(NCS - Bureau of the Census, 1973)

### Socioeconomic Status

- Low-income persons are the most frequent targets of rape, robbery & burglary  
(President's Commission, 1967)
- Based on what is known about imprisoned criminals, most persons who engage in crime have jobs and very few are welfare-dependent  
(LEAA, 1978)
- In a ghetto area, visibility to others in the area & high levels of contact with others in the area are conducive factors in frequent criminal victimization
- The greater the integration in the community, the more chance of being victimized  
(Kleinman, David, 1973)

## VICTIM-OFFENDER RELATIONSHIPS

### Overall

- A substantial number of crimes are committed by persons known to their victims  
(LEAA, 1978)
- 40% aggravated assaults & rapes take place in victim's house  
(Ennis, 1967)
- 45% serious crime committed by persons known to victim  
(Ennis, 1967)
- Crimes of violence most often perpetrated by strangers  
(LEAA, 8 cities, 1974)
- 3/4 personal violence crimes committed by strangers  
(LEAA, 5 cities, 1974)
- But 4/5 of the femicides occur at home as compared to less than 1/2 of the homicides  
(Wolfgang, 1958)
- Of the factors considered by a victim whether to involve the police, the victim-offender relationship is most important  
(Reynolds & Blyth, 1974)

### Differences between Victims & Offenders

- The difference between victim & victimizer is overstressed, while similarity is understressed  
(Cho, 1973)
- Victims do not differ significantly from criminals  
(Schafer, 1976)
- Law separates victim & offender but there may be some degree of symbiosis & mutuality  
(Schultz, 1968)

### Patterns of Victimization: Who are the Victims? Who are the Offenders?

- Rates of victimization are far higher for young individuals than for senior citizens  
(LEAA, 1978)
- 64% of all offenses involve a male attacked by a male
- Females are less likely to be victims of delinquency, but when attacked, the attacker is likely to be a male



- Offenders, no matter the income status of their place of residence, are likely to attack victims who dwell in economically similar areas
- There are patterns of victimization according to race & age
- Adults are more often victimized by juveniles
- Offenses committed in situations involving the victim & offender as strangers are less serious than offenses committed involving non-strangers
- Juveniles do not follow the same pattern of victimizing as adults (Silverman, 1975)
- Studies show a lower proportion of females as victims (3 times more for men); females are more often victims of violent crimes at the hands of males whom they know
- Interpersonal relationships of victim & criminal are important: primary group relationships appear more significant in crimes against the person
- Killers are often younger than the killed by 5 to 10 years

#### Patterns of Victimization in Robberies

- Much of the violence associated with robbery is "recreational" and unnecessary to completion of the crime.
  - Victims who resist robbery are more likely to be injured, although many victims who are injured had not resisted the robber in any way.
  - The chance of being injured is higher when the robbery is carried out by a "non-professional" and the likelihood of injury dramatically increases when three or more robbers are involved in the incident. Robbers who cause injury tend to be unprofessional and more violence-prone than other robbers.
  - Robbers who carry lethal weapons, such as guns, tend to exercise some caution in their use because they fear the harsh penalties that come with a robbery-murder charge.
  - In general, a robbery victim is better off (in terms of possible injury) if the assailant is armed with a gun rather than some other kind of weapon or no weapon at all. The mere sight of a gun enough to intimidate the victim and make assault unnecessary as other robbers need a show of force to carry out a theft.
- victims are five times more likely to be killed when a gunman attacks compared to robbers armed with weapons such as clubs or tire irons, or unarmed.

- Victims in unarmed robberies in the District of Columbia were physically attacked in 71% of the cases, compared to 20% for robberies in which a gun was used, 36% for robberies with a knife and 56% of the cases where other weapons were used.
- Data show that there are no extra sanctions for injuring someone. Statistics show that the fact that an injury occurred did not increase the likelihood of conviction, incarceration or the length of incarceration. The significant variable for prosecutors and judges has been the possession of weapons and not whether or not someone was actually hurt.  
(Cook and Nagin, 1979)

#### Offender's Perception of the Victim

- 70% of violent offenders knew their victims, 67% in fraud offenses, 50% of property or sex victims were unknown to the offender
- Violent offenders admitted their victims suffered; sex & property offenders maintained their victims did not suffer
- Violent & sex offenders placed guilt partially or completely on the victim; fraud & property offenders said they were guilty
- Violent, property & sex offenders were unwilling to compensate; fraud offenders willing to compensate
- If an offender feels no guilt or suffering, then he will not be in favor of compensation (reverse if an offender feels guilt)  
(Landau, 1974)

#### Victim's Reaction to the Victimizer

- Although victims defend themselves in a majority of rapes, robberies or assaults, passive methods are more commonly used for protection.  
(LEAA, 1978)
- Raw incidence figures on criminal victimization are not the only index of victimization effects. The subjective reaction of the victim to the incident is also important, and this includes changes in behavior designed to minimize the chance of future revictimization. Just as deterrence may spread the effects of one conviction to unarrested criminals, a single victimization incident may cause large number of unvictimized citizens to modify their behavior so as to avoid the possibility of becoming victims themselves. Part of the threat effect that a victimization incident has on the victim and other citizens is due to an implicit comparison between the self's resources to resist or minimize the effects of victimization and the estimated probability of actually experiencing a victimization incident.  
(Viano, 1978)

### Victim Role Typology

- Typologies should be based on the social situation, emphasizing the interaction and interrelationship between the criminal, the victim, the crime, and the law
- Typology: 1) victim has no prior awareness of the crime & is non-acceptant of the transaction, 2) victim dislikes being the victim but refrains from contacting police, 3) victim has prior awareness of crime & still refrains from calling police
- A victim-role typology must include situations in which the victim-role is determined not so much by individual or group choices, as by certain socio-structural conditions  
(Mack, 1974)
- Classification based on a comparison between a criminality level index & victimization scale. The scale measures social reaction but not behavior tendency to or from victimization. Criminality scales measure attitudinal expression of negativism toward pro-social values, norms, etc. while victimization scale is designed to measure attitudes towards "unjust" or "illegal" situations.  
(Cho, 1973)
- Victim typologies fail to develop a general victim typology based on general victimological theory  
(Schafer, 1976)
- Mendelsohn's typology: the correlation of culpability between the victim & the criminal  
(Schafer, 1976)
- Hentig's typology used psychological, social & biological factors  
(Schafer, 1976)
- Assault-Homicidal Typology: The importance of the role played by the victim's personality & conduct is established in crimes of violence more than in any other crime. Von Hentig's 4 psychological types of victims: 1) those who desire injury, 2) those whose injury may be the price of a greater gain, 3) those who bring about detrimental results by their own effort, 4) those who provoke or instigate the offense  
(Schultz, 1968)
- Von Hentig's typology, using psychological, social & biological factors, includes: 1) the young, 2) the female, 3) the old, 4) the mentally defective, 5) the immigrants, 6) the depressed, 7) the acquisitive, 8) the wanton, 9) the lonesome, 10) the tormentor, 11) the activating sufferer  
(Von Hentig, 1948)

- Fattah's victim system includes: 1) the latent victim whose psychological disposition consists of naivete, superstition or greediness, 2) the provocative victim whose behavior contributes criminogenically to the crime  
(Weber, 1973)

#### Victim Precipitation - Definition

- Criminal homicide: whenever the victim was first to use either physical force or insinuating language and gestures against the subsequent other
- Aggravated assault: same as criminal homicide
- Forcible rape: whenever a female first agrees to sexual relations, or clearly invites them verbally or through gestures, but they are retracted before the act. (This definition has been criticized by many in the field.)  
(Amir, 1965)
- Robbery: whenever the victim has not acted with reasonable self-protective behavior in handling valuables  
(Curtis, 1974)
- The definitions of victim-precipitation can affect research findings and policy decisions to a great extent. Some definitions are too broad or confusing and there may be reliability problems in the application of the operational definitions
- Definition: victim precipitation occurs when the offender's action in committing or beginning to commit a crime is initiated after & directly related to an action (physical or verbal, conscious or unconscious) on the part of the victim. The offender perceives the victim's behavior as a facilitating action to commission of the crime.  
(Silverman, 1974)
- "Victim-precipitated" applies to those criminal homicides in which the victim is a direct, positive precipitator in the crime. The victim-precipitated cases are those in which the victim was first to show & use a deadly weapon, strike, blow, or physical force.  
(Wolfgang, 1957)
- Foener's victim-induced criminality in which the victim creates a temptation-opportunity situation.  
(Silverman, 1974)
- The victim of an offense may have engaged in behavior that intentionally or unintentionally triggered his/her own victimization  
(Schultz, 1968)

### Findings on Victim-precipitated Crimes

- Criminal homicide: 22% precipitated
- Aggravated assault: 14% precipitated
- Rape: 4% precipitated
- Robbery: 11% precipitated (armed)
- 6% precipitated (unarmed)
- (Curtis, 1974)
  
- Homicide: 26% precipitated (Wolfgang, 1958)
- 38% precipitated (Hepburn & Voss)
- 22% precipitated (Mulvihill)
  
- Rape: 19% precipitated (Amir)
- 4% precipitated
  
- Homicide: 25% precipitated (Wolfgang, 1958)
  
- Provocation is common in homicide & assault but less frequent in robbery and rape
- (Curtis, 1974)
  
- Significantly higher proportions of the following characteristics were found among victim-precipitated homicides: 1) black victims, 2) black offenders, 3) male victims, 4) female offenders, 5) stabbings, 6) victim-offender relationship involving male victims of female offenders, 7) male slayings, 8) husbands who are victims in male slayings, 9) alcohol in homicide situation, 10) victims with previous arrest record, 11) victims with previous record of assault
- (Wolfgang, 1957)
  
- Males more likely to precipitate in homicide than females
- (Curtis, 1974)

### Compensation

- As the notion of victim compensation becomes more widely accepted, victim-precipitation theory & research will become more important in the formulation of victim compensation laws
- (Silverman, 1974)
  
- Payment of compensation for injuries sustained while aiding a police officer must be made in such a way as to not encourage the busy-body or vigilante
- (Fooner, 1966)

### Rape

- Social process prepares the woman for her role as a potential victim
  
- Socialization & sex role learning exploit males & females, and produce both victims & offenders
  
- Raped woman appears as a legitimate & helpless victim
- (Weis, 1973)

## RESPONSES TO VICTIMIZATION

### Overall

- Slightly fewer than half of all offenses measured by the National Crime Survey are known to the police
  - By and large, the offenses experienced by Blacks and Hispanics are just about as apt to be reported as are crimes against victims in general
  - Judging from the opinions of many city residents, environmental problems cause just about as much concern as crime
  - Most individuals feel at least reasonably safe when out alone in their neighborhoods either in the daytime or at night
  - Slightly fewer than half of all big-city residents have personally altered their lifestyles because of crime.
- (LEAA, 1978)

### Time Lag in Reporting and its Consequences

- The average citizen waits so long to report a crime that police have little chance to make an arrest at the scene no matter how fast they respond.
  - Median time for reporting a major felony (Part I crime) was 6 minutes and 17 seconds; dispatch time was 2 minutes and 50 seconds; police travel time 5 minutes and 34 seconds
  - Reporting to police in less than two minutes after the commission of an involvement crime could increase arrests nearly 10%
  - If a citizen waits more than five minutes to report a crime, further delay makes little difference
  - Delay in reporting major crimes to the police can be traced primarily to what citizens do prior to making the call, their attitude about the personal importance of the incident, and the need for assistance.
  - Actions that result in significant delays include telephoning another person, waiting or observing the situation, investigating the incident scene, and contacting a supervisor or a security guard.
  - People who do not immediately call the police often cite the need for additional information or assurance that the incident required police intervention
  - Rapid reporting of involvement crimes increases the chances of an arrest
- (Kansas City, Mo. Police Dept, 1978)

- The chances of convicting an arrested person increase or decrease in direct relationship to how quickly the suspect is arrested after the offense, the tangible evidence recovered, and witnesses interviewed
  - The stranger-to-stranger robbery episodes, 40% of all persons arrested within 30 minutes of the offense were convicted; for the suspects apprehended between 30 minutes and 24 hours, the conviction rate was 32%; after 24 hours, it was only 23%. This pattern is also apparent in arrests for larceny and burglary
  - Arrest promptness increases the conviction rate because of the increased ability of police to recover tangible evidence.
- (Forst, 1977)

#### Under-reporting of Crime in Police Statistics

- Over twice as much major crime is not reported as that reported (Glaser, 1970)
- Reporting is positively related to seriousness of the crime (Ennis, 1967)  
(Hood & Sparks, 1970)  
(Reynolds & Blyth, 1975)
- Respondents tell interviewers about much higher proportion of property crimes known from police records than personal crime (Biderman, 1975)
- Percentage of reports is twice as likely when the incident involves property loss or is more severe (Reynolds & Blyth, 1975)
- Just as many incidents considered serious by police are considered unimportant by respondents, and vice versa (Reynolds & Blyth, 1975)
- Hawkins (1972) found that when the threat of personal victimization was used, there was a significant relationship between threat & reporting for crimes against person only (Hawkins, 1973)
- Commercial robbery: police & survey data same (Howard, 1975)
- Police & survey data for personal robberies were found to be very similar. This questions the assumption that official statistics are poor indicators of true crime rate (Howard, 1975)

- Non-reporting related to
  - 1)The victim's role in the crime
  - 2)The victim's feeling of powerlessness
  - 3)Victim-offender primary relationship  
(Biderman, 1975)
- Reported property crime varies directly with the proportion of reported crimes on which the police act effectively  
(Ennis, 1967)
- Most crimes against individuals are poorly reported to police: business crime reported the most  
(LEAA, 8 cities, 1974)
- Certain crimes, particularly assault, are not always reported because of: 1)victim-offender relationship: 2)failure of victim to recognize the offense as a crime  
(Argana, 1974)
- Non-reporting reasons: 1)police not effective; 2)not serious enough; 3)did not want police involvement
- Non-reporting also related to weak correspondence between definitions of crime in police-legal system and the respondent's definitions of crime
- Of the factors considered by a victim when deciding whether to involve the police, the victim-offender relationship is most important; the severity of the incident is second
- Patterns found in rate of reporting in 2 communities: 40/50% of crime occurring to adults in their own community are reported; 10/30% are included in official police statistics
- The variations in rates between official police statistics and survey data are largely due to variation in police procedures, not to variations in responses of victims to incidents of victimization  
(Reynolds and Blyth, 1975)
- New police procedures can cause an under-reporting of crime  
(Hood & Sparks, 1973)
- Police are judged on the amount of crime recorded, therefore they report less crime
- Police make themselves look good by under reporting crime  
(Wolfgang, 1963)
- A victim's decision to notify the police of a crime is based upon calculation of the benefits derived from notification and the cost incurred
- Blacks notified police less than whites  
(Block, R., 1974)



-In a study conducted by Cordey (1973), it was found that 1/2 of all personal crimes and 1 in 4 personal robberies went unreported (Cordey, 1975)

-Ennis found (1965) these factors in non-reporting:  
 1)not a police matter (34%);2) fear of reprisal (2%);3)too much time and trouble to get involved (9%);4) attitudes towards the police (55%)  
 (Ennis, 1967)

-The extent of crime is much greater than is reported in UCR: NORC study (1965) showed:  
 -Burglary was three times as high  
 -Assault & burglary two times as high  
 (Glaser, 1970)

#### Age & Sex Variables in Reporting:

-Females reported crime more than males  
 -The 12-19 age group were the most likely to report crime  
 (LEAA, "Impact Cities", 1974)

#### Perception of the Environment

-There is a significant positive relationship between crime levels and subjective evaluations of potential victimization

-Previous victims of robbery have higher subjective evaluations than do non-robbery victims; reverse is true for burglary victims  
 (Block & Long, 1973)

-In Ghetto area: Higher SES persons perceived crime as high whereas medium or low SES did not. Both men & women perceive crime as high

-In Ghetto area: The more contact one has with others, the more one perceives crime as being high

-In Ghetto area: There is a positive relationship between experience of victimization & perceiving crime as being high  
 (Kleimman, 1973)

-analysis of the perceptions of crime held by citizens in eight cities: Atlanta, Baltimore, Cleveland, Dallas, Denver, Newark, Portland (Oregon), and St. Louis - in mid-1972 shows that women in these cities were more likely than men to believe that the probability of being attacked or robbed was increasing, to be afraid of traveling into some parts of the metropolitan area during the day or at night, to feel unsafe

when out alone in their own neighborhoods during the day or at night, and to personally limit their activities because of crime. At every age level and degree of experience with criminal victimization, women were more likely than men to personally limit or change their activities because of crime. Data collected in New York, Chicago, Los Angeles, Philadelphia, and Detroit reveal a similar pattern of sexual differences in the response to crime. Despite the fact that women experience lower overall levels of criminal victimization than men, crime impacts their behavior to a greater extent. This suggests that increased attention should be given to the total victimization experiences of women rather than continuing to restrict the analysis of female victimization to sex crimes as it has been done in the past.

#### The Witness/Bystander

- Findings of a study concerning helping behavior reveal
  - 1) Overall rate of helping is greater in a rural setting than in an urban setting
  - 2) Black victims receive less help from rural whites (South) than urban whites (non-South)
  - 3) Regardless of race, a local victim received no more help than "outsider"
  - 4) White victims received more help from rural (South) folk than from urbanized people (non-South)
- Bystanders may affect the primary parties' conduct during a crime
- Jacobs states that for the most part, the "peace" in the neighborhoods is kept by the "bystanders", not police
- Sense of responsibility on part of witness may be defused by inaction of other bystanders ("Genovese Theory")
- Common Law approach makes little demand upon the bystander
- Need for clearer "rules" for bystanders' reaction to crime (Sheleff, 1973)

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## THE CRIMINAL JUSTICE SYSTEM AND THE VICTIM/WITNESS

### Police

The analysis of victimization and attitude data from 13 American cities reveal that:

- Most people give their local police relatively favorable ratings.
- Young and black/other respondents give noticeably less favorable ratings to their local police than do their older and white counterparts.
- Even among respondents sub-groups with the least favorable ratings of the police, extremely negative ratings do not predominate.
- Despite favorable ratings of the police, most people think that there are ways for the police to improve their performance.
- Citizens do not appear to blame the police for what they perceive as the crime problem.
- Actual experiences with victimization, however, were related to ratings of the police, with those having more serious experiences with victimization during the preceding 12 months giving the police more negative ratings.
- Overall ratings of police performance do not have a strong influence on whether or not a victim reports a crime to the police, with a slight exception in the case of non-serious crimes.
- Characteristics of the victimization itself -- e.g. injury or loss suffered -- have much more effect on whether the event is reported to the police by the victim than does the victim's rating of police performance..
- Overall, the results seem to imply that any programs that try to improve relationships between the police and the public may not produce great changes in public attitudes if the effort is focused on improving the image of officers already in the field (the public already evaluates them highly). More success might come from instituting department-wide reorganizations and reallocations of resources that are responsive to public desires. (e.g. a well publicized transfer of more officers to patrol duty).

(Garofalo, 1977; LEAA, 1978)

- 1/2 respondents not reporting crime felt that nothing could be achieved by involving the police  
(Hood & Sparks, 1973)

- Positive attitudes toward police related to
  - 1)willingness to notify police
  - 2)apprehension & punishment of offender

- Favorable attitudes toward police positively related to Socio-economic status (SES)

- Blacks at all income levels show negative attitudes toward police  
(Ennis, 1967)
- Sometimes people view police as not wanting to be involved in social matters  
(McDowell, 1975)
- 72% of respondents held "most favorable or more favorable" attitudes toward the police  
(Smith & Hawkins, 1973)
- White youths & minority groups were "unfavorable" toward the police  
(Smith & Hawkins, 1973)
- Negative attitudes toward police increase with
  - 1) dissatisfaction with police after victimization
  - 2) observation of police misconduct
  - 3) individuals who have been the object of police enforcement activities
 (Smith & Hawkins, 1973)
- Upper income groups are more favorable to police  
(Ennis, 1967)
- Police-citizen interaction did not reduce negative attitudes toward police  
(Smith & Hawkins, 1973)

#### Police, Offender & Victim Roles

- Police should realize that they and the public play roles in confrontations
- Police cannot change people - they can use stimuli as a basis for their response
- Roles of persecutor, victim & rescuer are played by both the police & the public at various times  
(McDowell, 1975)

#### Prosecutor

- The literature suggests that involvement in, or the operation of, the criminal justice system presents witnesses with so many major inconveniences and problems that, all too frequently, even initially cooperative witnesses wish they had never stepped forward. Among the most commonly cited system-related problems are trial delay, loss of income, inappropriate physical accommodations, and witness intimidation.
- Inadequate communications between police/prosecutor and witness is a significant cause of prosecutors' labeling many witnesses as non-cooperators either because communication difficulties tended to discourage or "turn off" some witnesses from cooperating or because the prosecutor misinterprets their true intentions.
- Prosecutors also tend to label witnesses as non-cooperators not on the basis of perceived non-cooperation in the case, but in anticipation of it, for example in the case of a witness testifying against a friend

or relative.

- Solutions to communications-related "witness non-cooperation" are unglamorous and must be effected largely through better management of the prosecutor's office. Solutions pertain to verification of witnesses' names and addresses, maintenance of accurate witness records, and procedures that maximize coordination and communications between police, prosecutor, and court, on the one hand, and witnesses on the other, especially in continued cases.

- Many studies have also documented that witness concern over the possibility of intimidation of defendants could lead to a lack of cooperation.

- Major aspects of witness management that will lead to increased cooperation are;

- police/prosecutor verification of witnesses' names and addresses
- police/prosecutor efforts to allay the witnesses' fear
- briefing the witness
- conveying a positive attitude to witnesses
- expediting the return of witnesses' property used as evidence
- preparation of witness-oriented guidelines and standardized forms
- instituting a crime victims/witnesses' service center
- providing adequate witness fees and payment procedures
- surveying and analyzing notification procedures
- centralizing witness notification
- promptly notifying victim/witnesses of dropped cases
- issuing "on call" subpoenas
- give special attention to witnesses in career criminal cases
- bolster witness management through volunteers, paralegals....
- provide victim/witness oriented training for police and prosecutors
- counseling for reluctant witnesses
- avoid overly subjective decisions about uncooperative behavior
- provide non-criminal procedures to resolve certain cases (e.g.) neighborhood dispute settlement centers)
- Obtain feedback from witnesses
- community-wide education

(Cannavale and Falcon, 1976; Baluss, 1975; Benson, 1974; Viano, 1978)

### Jurors

- Simulated jurors did not assign greater sentences to the offender nor did they perceive the crime (fraud) as being more serious when it was perpetrated against incompetent victims  
(Boor, 1975)

- Simulated jurors more sympathetic to incompetent victim  
(Boor, 1975)

- Information about the status of the offender was no used in determining sentences (a simulated experiment)  
(White, 1975)

- Delinquents hold a common attitude toward the victim  
(Schwendinger, 1969)

## Probation

-In the Pre-sentence Investigation Report, the probation officer should analyze the victim/offender relationship as it will determine  
 1) guilt, type & degree of punishment for offender 2) evaluate what is just for the welfare of the victim regarding restitution.  
 (Schultz, 1968)

-Reasons for establishing Victim Services Programs within probation:

1. Access to criminal justice information
2. Probation understands the language and the procedures of the other criminal justice agencies
3. Probation is countywide
4. Probation knows local services and resources in each community
5. Probation is casework-oriented
6. Volunteerism is well developed in many probation departments
7. Probation officers can advocate for victims
8. Probation is an "official" agency  
 (Helbush & Mandel, 1977)

-Three possible models of V/W Services Programs within probation have been recognized:

1. the Basic Model covering the "sanctioning phase" of criminal justice proceedings, begins when a pre-sentence investigation is initiated and may proceed on through the offender's probationary period. It makes use of already existing staff.
2. the Intermediate Model, covering the "adjudication phase," begins at the point when prosecution charges are filed and then continues through the court processing and the sanctioning phase. It relies on volunteers as well as on regular staff.
3. the Comprehensive Model covers the "law enforcement" phase, starting as soon after the victim reports the crime to police as possible, then services are continued, wherever appropriate, through the adjudication and sanctioning stages. It needs volunteers, supervisors and fulltime staff supported by additional funds.  
 (Stein & Grammer, 1979)



### CONSEQUENCES OF VICTIMIZATION

- There are strong indications that slightly fewer than half of all big city residents have personally altered their lifestyles because of crime.  
(LEAA, 1978)
- There are certain categories of potential victims who are considered "fair game" by non-criminal types. Research by Kahn (1972) reveals that many U.S. males consider violence against hoodlums, ghetto rioters & student protestors justified. Also, drug addicts & Blacks.
- The interest of social control serve to sanction the establishment of victim categories regarded as "fair game"  
(Kelman, 1973)
- Rape dehumanizes both the offender & the victim  
(Selkin, 1975)
- The procedural role of the victim as witness may cause additional damage that may exceed the damage caused by the offender  
(Maisch, 1975)
- Different crimes affect victims differently. One should not focus only on the more sensational crimes to analyze the impact of victimization and to plan appropriate intervention  
(Viano, 1978)
- "Rehabilitation" of victims should be a national goal  
(Polish, 1973)
- There should be continued cross-cultural investigation of victim-precipitation & expanding the concept beyond situational definitions to the inclusion of the morality & value system of offender/victim populations  
(Curtis, 1974)
- Payment of compensation for injuries sustained while aiding a police officer must be made in such a way as to not encourage the "busybody" or vigilante  
(Fooner, 1966)
- Victim precipitation theory & research will become more important as the notion of victim compensation becomes more widely accepted  
(Silverman, 1975)
- Direct state compensation is limited in scope & effect  
(Polish, 1973)

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